

Remarks

In response to the Final Office Action dated January 23, 2006, the Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. It is respectfully submitted that entry of the above amendments is proper under 37 C.F.R. § 1.116 in that the amendments (1) place the claims in condition for allowance or, if necessary, in better condition for consideration on appeal; and (2) do not raise any new issues requiring further consideration or search. For the reasons given above, entry of the above claim amendments under 37 C.F.R. § 1.116 is respectfully requested.

In the present application, independent claims 1 and 32 have been amended and claims 17-31 and 35-43 have been canceled. Claims 1 and 32 have been amended to correct typographical errors, to clarify that the “interior network element” is located within a network, and to clarify that the “rolling time period” comprises a previous continuous chronological time period. Support for these amendments may be found in Fig. 1, paragraphs 0013-0014, and paragraph 0017 in the Specification. No new matter has been added. It is respectfully submitted that the aforementioned claim amendments with respect to the “interior network element” and the “rolling time period” are presented to respond to the rejection under 35 U.S.C. § 112, second paragraph in the current Office Action, should reasonably have been expected by the Examiner, and thus do not raise new issues requiring further consideration and/or search.

In the Office Action, claims 1 and 32 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1-43 are rejected under 35 U.S.C. § 102(b) as being anticipated by Leong et al. (U.S. Patent No. 5,996,010, hereinafter “Leong”).

Applicants’ Statement of the Substance of the Interview

A brief telephonic interview between Applicants’ representative Alton Hornsby, III (Registration No. 47,299) and the Examiner was held on March 21, 2006 to discuss independent

claims 1 and 32 in view of the cited reference Leong. In the interview, a discussion was held with respect to the phrases “interior network element” and “rolling time period” appearing in the aforementioned claims and rejected by the Examiner as being indefinite under 35 U.S.C. § 112, second paragraph. With respect to the phrase “rolling time period,” the Examiner indicated that a clarification of this term in the claims was necessary to address the rejection under 35 U.S.C. § 112, second paragraph and might also distinguish claims 1 and 32 over Leong.

Claim Rejections - 35 U.S.C. §112

In the Office Action, independent claims 1 and 32 are rejected as being indefinite based on the phrases “interior network element” and “rolling time period.” As noted above in the section entitled “Amendments to the Claims,” claims 1 and 32 have been amended to clarify that an “interior network element” is located within a network and that a “rolling time period” comprises a previous continuous chronological time period. Based on the aforementioned amendments, it is respectfully submitted that claims 1 and 32 are now definite and the rejection of claims 1 and 32 should be withdrawn.

Claim Rejections - 35 U.S.C. §102

Claims 1-43 are rejected as being anticipated by Leong. As noted above, claims 17-31 and 35-43 have been canceled. The rejection of the remaining claims is respectfully traversed.

Amended independent claim 1 specifies a system for network element fault information processing. The system includes an interior network element, an edge switch coupled to the interior network element, the interior network element located within a network, wherein the edge switch is a first point of access to the network for communication by a customer; a trap log resident in the edge switch, wherein the trap log sends an alarm to a management station to alert for specified network events; a first communications link coupled to the interior network

element, the first communications link to carry communications to and from a customer via the edge switch; and a computer, the computer coupled to the network element, the computer including a processor, another trap log and a memory, the memory storing a plurality of instructions to be executed by the processor, the plurality of instructions including instructions to receive a network element identifier from a user, the network element identifier corresponding to the network element; receive a network element fault information processing instruction; receive network element fault information from at least the alarms from the trap log and the another trap log; process the network element fault information for display to the user based at least in part on the received network element fault information processing instruction; and store the network element fault information into a network fault file wherein the network element fault file contains network element fault information collected over a rolling time period, wherein the rolling time period comprises a previous continuous chronological time period.

It is respectfully submitted that Leong fails to teach each and every feature specified in amended independent claim 1. For example, Leong fails to teach that network element fault information is collected over a rolling time period comprising a previous continuous chronological time period. On the contrary, Leong discloses the use of “GET” instructions to allow a browser to display an instantaneous measurement or value of a certain network management parameter, identified by a Management Information Base (“MIB”) object. Leong also discloses periodically transmitting requests to an agent to provide a network manager viewing a browser with a continual update of a monitored parameter or “MIB” object. See Column 14, lines 43-64.

Leong fails to teach a “rolling time period” because the disclosed method specifies that the requests for updates of a monitored parameter or MIB object are periodically transmitted.

Thus, the use of “continuous” in Leong refers to the sending of repeated periodic requests for instantaneous measurements or values of network parameters (see Col. 14, lines 1-7 discussing that the transmission of numerous request messages involves numerous iterations of steps 208-212 in Fig. 14). Thus, while Leong discloses sending numerous requests for network parameter values over a number of periods, amended independent claim 1 specifies collecting network element fault information over a previous continuous chronological time period. Accordingly, since the requests disclosed in Leong are periodically transmitted, the method disclosed by Leong would fail to provide the network manager with network element fault information collected over a previous continuous chronological time period as specified in amended independent claim 1. Claims 2-16 depend from amended independent claim 1, and are thus allowable for at least the same reasons. Amended independent claim 32 recites similar features as amended independent claim 1 and thus is also allowable for at least the same reasons. Claims 33-34 depend from amended independent claim 32, and are thus allowable for at least the same reasons. Therefore, the rejections of claims 2-16 and 32-34 should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants’ attorney at the number listed below.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: March 23, 2006



Jeramie J. Keys
Reg. No. 42,724

Withers & Keys, LLC
P.O. Box 71355
Marietta, GA 30007-1355
(404) 849-2093